

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



2921

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In re: application of: Ebner et al.

Application Serial No.: 09/115,832

Group Art Unit: TBA

Filed: July 15, 1998

Examiner: TBA

For: Interleukin-20

Attorney Docket No.: PF399

RESPONSE TO NOTICE TO FILE MISSING PARTS

Assistant Commissioner For Patents
BOX MISSING PARTS
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts mailed August 26, 1998, and for which a response is being timely filed (August 26, 1998 = Saturday), Applicants submit herewith an executed Declaration for Patent Application (in three counterparts), for entry into the above-referenced application. A copy of the aforementioned Notice is also enclosed.

The Commissioner is hereby authorized to charge the required fee of \$130.00, and any other fee deemed necessary, to Deposit Account No. 08-3425. A duplicate of this sheet is enclosed.

Respectfully submitted,

Dated: 9/28/98

A. Anders Brookes (Reg. No. 36,373)
Attorney for Applicants

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, Maryland 20850
Telephone: 301-610-5761

Enclosures: Duplicate of this paper
Executed Declaration and Power of Attorney (6 pages)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re: application of: Ebner et al.

Serial No.: 09/115,832

Group Art Unit: TBA

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Examiner: TBA

For: Interleukin-20

Attorney Docket No.: PF399

RESPONSE TO NOTICE TO COMPLY

Assistant Commissioner For Patents
Washington, D.C. 20231

Sir:

In response to the Notice to Comply mailed on August 26, 1998, and for which a response is being timely filed (August 26, 1998 = Saturday), Applicants submit under separate cover herewith the following:

- 1) Amendment in Response to Notice to Comply;
- 2) Statement Under 37 C.F.R. 1.821 and 1.825; and
- 3) a substitute paper copy of sequence listing and computer-readable

diskette containing same.

A copy of the aforementioned Notice is also enclosed.

Applicants believe that no fee is required for this submission. However, should a fee be due, please charge such fee to Deposit Account No. 08-3425. A duplicate of this page is enclosed.

Respectfully submitted,

Dated: 9/28/98

A handwritten signature in black ink, appearing to read "A. Anders Brookes".

A. Anders Brookes
Attorney for Applicants

Reg. No. 36,373

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, Maryland 20850
Telephone: 301-610-5761

Enclosure: duplicate of this page
MMW/JJK/lcc



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: application of: Ebner et al.

Serial No.: 09/115,832

Group Art Unit: TBA

Filed: July 15, 1998

Examiner: TBA

For: Interleukin-20

Attorney Docket No.: PF399

AMENDMENT IN RESPONSE TO NOTICE TO COMPLY

Assistant Commissioner For Patents
Washington, D.C. 20231

Sir:

In response to the Notice to Comply mailed on August 26, 1998, applicants submit under separate cover herewith the following:

- 1) a Statement Under 37 C.F.R. 1.821 and 1.825;
- 2) a substitute paper copy of sequence listing; and
- 3) a computer-readable diskette containing same.

Please replace the sequence listing (pages 1-7) as originally filed with the sequence listing submitted herewith (pages 1-7).

Applicants believe that no fee is required for this submission. However, should a fee be due, please charge such fee to Deposit Account No. 08-3425. A duplicate of this page is enclosed.

Respectfully submitted,

Dated: 9/28/98

A. Anders Brookes
Attorney for Applicants

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, Maryland 20850
Telephone: 301-610-5761

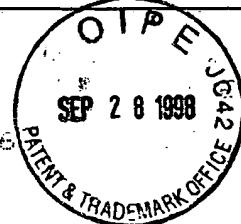
Enclosure: duplicate of this page
MMW/JJK/lcc



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/115,832 07/15/98 EBNER



HUMAN GENOME SCIENCES INC
9410 KEY WEST AVENUE
ROCKVILLE MD 20850

0242/0826

R PF399

NOT ASSIGNED

1646

BEST AVAILABLE COPY

MMW JK

DATE MAILED:

08/26/98

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- 1. This application fails to comply with the requirements of 37 CFR 1.821 - 1.825.
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- 7. OTHER:

APPLICANT MUST PROVIDE:

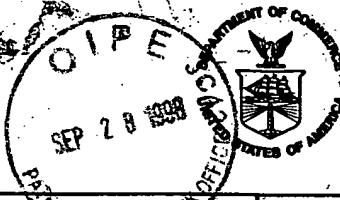
- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing."
- An initial or substitute paper copy of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CONTACT:

- For Rules Interpretation, call (703) 308-1123.
- For CRF submission help, call (703) 308-4212.
- For PatentIn software help, call (703) 308-6856.

NA Day / Unit 4

Customer Service Center
Initial Patent Examination Division (703) 308-1202



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/115,832	07/15/98	EBNER	R PF399

10/01/1998 A SELLMAN GENOME SCIENCES INC
9410 KEY WEST AVENUE
01 FC:105 ROCKVILLE MD 20850

0242/0826

NOT ASSIGNED

1646

THU JK

DATE MAILED: 08/26/98

BEST AVAILABLE COPY

NOTICE TO FILE MISSING PARTS OF APPLICATION

Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.13(e). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a small entity (statement filed) non-small entity is \$ 130.

1. The statutory basic filing fee is:

- missing.
- insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required.

\$ _____ for _____ independent claims over 3.

\$ _____ for _____ dependent claims over 20.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

- is missing or unexecuted.
- does not cover the newly submitted items.
- does not identify the application to which it applies.
- does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

7. Your filing receipt was mailed in error because your check was returned without payment.

8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

9. OTHER: _____

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

No Day 10/14

Customer Service Center
Initial Patent Examination Division (703) 308-1202